

(1) by striking out "\$85,000,000" and inserting in lieu thereof "\$282,000,000"; and
(2) by adding at the end thereof the following new sentence: "Of amounts authorized to be appropriated under this subsection, \$50,000,000 shall be available solely to pay to the trustees of railroads in reorganization such sums as may be necessary to provide such railroads with amounts equal to revenues attributable to tariff increases proposed by such railroads and suspended by the Interstate Commerce Commission during the calendar year 1975, if the Secretary determines that such payments are necessary to carry out this section."

SEC. 7. Section 215 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 725) is amended to read as follows:

"INTERIM AGREEMENTS"

"SEC. 215. (a) PURPOSES.—Prior to the date upon which rail properties are conveyed to the Corporation under this Act, the Secretary, with the approval of the Association, is authorized to enter into agreements with the trustees of the railroads in reorganization in the region (or railroads leased, operated, or controlled by railroads in reorganization) —

"(1) to perform the program maintenance on designated rail properties of such railroads until the date rail properties are conveyed under this Act;

"(2) to improve rail properties of such railroads; and

"(3) to acquire rail properties for lease or loan to any such railroads until the date such rail properties are conveyed under this Act, and subsequently for conveyance pursuant to the final system plan, or to acquire interests in such rail properties owned by or leased to any such railroads or in purchase money obligations therefor.

"(b) CONDITIONS.—Agreements pursuant to subsection (a) of this section shall contain such reasonable terms and conditions as the Secretary may prescribe. In addition, agreements under paragraphs (1) and (2) of subsection (a) of this section shall provide that—

"(1) to the extent that physical condition is used as a basis for determining, under section 206(f) or 303(c) of this Act, the value of properties subject to such an agreement and designated for transfer to the Corporation under the final system plan, the physical condition of the properties on the effective date of the agreement shall be used; and

"(2) in the event that property subject to the agreement is sold, leased, or transferred to an entity other than the Corporation, the trustees or railroad shall pay or assign to the Secretary that portion of the proceeds of such sale, lease, or transfer which reflects value attributable to the maintenance and improvement provided pursuant to the agreement.

"(c) OBLIGATIONS.—Notwithstanding section 210(b) of this title, the Association shall issue obligations under section 210(a) of this title in an amount sufficient to finance such agreements and shall require the Corporation to assume any such obligations. The aggregate amount of obligations issued under this section and outstanding at any one time shall not exceed \$300,000,000. The Association, with the approval of the Secretary, shall designate in the final system plan that portion of such obligations issued or to be issued which shall be refinanced and the terms thereof, and that portion from which the Corporation shall be released of its obligations.

"(d) CONVEYANCE.—The Secretary may convey to the Corporation, with or without receipt of consideration, any property or interests acquired by, transferred to, or otherwise held by the Secretary pursuant to this section or section 213 of this Act."

Sec. 8. Section 303(c) (1) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 745(c) (1)) is amended by striking out the last word of paragraph (A), by striking out the period at the end of paragraph (B) and inserting "; and" in lieu thereof, and by inserting after paragraph (B) the following new paragraph:

"(C) What portion of the proceeds received by a railroad in reorganization from an entity other than the Corporation for the sale, lease, or transfer of property subject to an agreement under section 213 or section 215 (a) (1) or (2) of this Act reflects value attributable to the maintenance or improvement provided pursuant to the agreement."

Sec. 9. Title VI of the Regional Rail Reorganization Act of 1973 is amended by adding at the end thereof the following new section:

"TAX PAYMENTS TO STATES"

"SEC. 605. (a) Notwithstanding any other provision of law, no railroad in reorganization shall withhold from any State, or any political subdivision thereof, the payment of the portion of any tax owed by such railroad to such State or subdivision, which portion has been collected by such railroad from any tenant thereof.

"(b) Any railroad which violates the provisions of subsection (a) of this section by withholding any portion of a tax referred to in such subsection shall be fined not more than \$10,000 for each such violation."

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 2051) was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE

Mr. MURPHY of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 174 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 174

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 138) establishing a Select Committee on Intelligence. After general debate, which shall be confined to the resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Rules, the resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Illinois (Mr. MURPHY) is recognized for 1 hour.

Mr. MURPHY of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois (Mr. ANDERSON) pending which I yield myself such time as I may consume.

(Mr. MURPHY of Illinois asked and was given permission to revise and extend his remarks.)

Mr. MURPHY of Illinois. Mr. Speaker, House Resolution 174 provides for an open rule with 1 hour of general debate on House Resolution 138, a resolution establishing a Select Committee on Intelligence.

House Resolution 138 authorizes the Select Committee on Intelligence to conduct an inquiry into the collection and use of intelligence information and allegations of improper and illegal activities of intelligence agencies in the United States and abroad.

House Resolution 138 also authorizes the Select Committee to inquire into the activities of certain government agencies in furtherance of their study.

Mr. Speaker, I urge the adoption of House Resolution 174 in order that we may discuss, debate, and pass House Resolution 138.

(Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may require.)

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, I think the distinguished gentleman from Illinois (Mr. MURPHY), my colleague on the Committee on Rules, has explained the purpose of this resolution. I would merely add that it makes in order House Resolution 138, which involves the original jurisdiction of the House Committee on Rules because it would establish a Select Committee on Intelligence.

It would have, of course, been possible under the rules of the House to bring that matter before this body as a privileged matter, not subject to amendment, in which case it would have been necessary for me, or someone on this side of the aisle, when the previous question was moved, to urge the defeat of the previous question in order to submit a resolution which would be open to amendment.

Mr. Speaker, I am grateful to my colleague on the committee, the gentleman from Missouri (Mr. BOLLING), who offered in the Committee on Rules a motion for an open rule, a resolution making this matter subject to debate under a completely open rule, which I think is proper procedure in view of the very important issues involved and the fact that I have four amendments that I wish to offer to the resolution. There may be, of course, others who have other amendments in addition to the four that I have to offer, but I will not take the time now under the rule to discuss those amendments. We will have an hour to do so under general debate, and at that time I will undertake to explain those particulars in which I differ with the drafters of House Resolution 138 and think that their product could be improved upon.

Mr. Speaker, I would join my colleague from Illinois in urging the adoption of the rule so that we can proceed with the debate on this resolution.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, I would like to ask the gentleman from Illinois to give me his opinion on this set of circumstances: We have a presidential commission headed by the vice president devoting itself to a complete investigation of the issues this select committee would consider.

We have a committee of the other body, which will do the same thing. Now we are creating a third independent body which may or may not cooperate with these other groups which will go over the same ground. We have just abolished the House Internal Security Committee, and one of the arguments was that it was the duty of other agencies to investigate subversion and that committee was not needed. How, in times when we are faced with economic problems and the need to cut back on the budget, can we justify creating still another committee to go over this same ground? Will the gentleman address himself to that?

Mr. ANDERSON of Illinois. I think there are some very relevant and justifiable concerns about the possibility of duplication, and those have been expressed by many Members of this body. The Presidential Commission, to which the gentleman refers, I believe is scheduled to report on or about the 4th of April 1975, and I think there are seven other members on that Commission. It was felt, and I think with some justification, that in addition to having the executive branch review this matter, that Congress, with its independent authority and with its independent responsibility for oversight, should undertake a similar investigation. My preference, frankly, would have been for a joint committee.

I introduced, along with the gentleman from Pennsylvania (Mr. BRESTER), earlier this year a resolution—we had some cosponsors, as I recall it—with the idea of a joint Senate-House committee to conduct oversight on this whole question. Unfortunately, the Senate chose to go ahead rather quickly and establish their own Senate select committee. I think that pretty well preempts any action on the part of the House to set up a joint committee. It would be rather futile for us to proceed with that idea because there is little likelihood the Senate will rescind its earlier action. However, I think that was certainly the best idea originally.

We are now confronted with the fact that the Senate has gone ahead. I heard this morning that on yesterday the senior Senator from Idaho, the chairman of that committee, has announced he will undertake to coordinate the work of his committee with the work of any committee suggested by this House to avoid the duplication which the gentleman fears. If he carries out that pledge—and I have no reason to doubt that he will—perhaps some of the duplications and the needless expense that might be incurred can be avoided.

I will have, however, some amendments, I point out to the gentlemen, to eliminate the expense, to take out of the resolution we have the open-ended authorization and replace it with the ceiling, and a subcelling, as well, on outside consultants, and I think, also, change the reporting date, to try to compress into a shorter time scale the work of the committee, so that they would not be encouraged to endlessly go on delving into these matters and they would finish their work quickly and expeditiously.

So I am going to try in these amendments to answer some of the various questions the gentleman has expressed.

Mr. MURPHY of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was aged to.

A motion to reconsider was laid on the table.

Mr. MURPHY of Illinois. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 138) establishing a Select Committee on Intelligence.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois (Mr. MURPHY).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 138, with Mr. FLYNN in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois (Mr. MURPHY) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. ANDERSON) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. MURPHY).

Mr. MURPHY of Illinois. Mr. Chairman, I yield myself such time as I may consume.

(Mr. MURPHY of Illinois asked and was given permission to revise and extend his remarks.)

Mr. MURPHY of Illinois. Mr. Chairman, House Resolution 138 establishes a House Select Committee on Intelligence, to be composed of 10 members, to be appointed by the Speaker, who shall designate one of the members as chairman.

House Resolution 138, as reported by the Committee on Rules, includes four committee amendments which strengthen the resolution.

House Resolution 138 authorizes the Select Committee on Intelligence to conduct an inquiry into the collection and use of intelligence information and allegations of improper and illegal activities of intelligence agencies in the United States and abroad. The resolution authorizes the select committee to review the procedures and effectiveness of coordination between the various intelligence components of the U.S. Government. The committee shall also determine whether or not there is a need for improved or

reorganized oversight by the Congress of U.S. intelligence activities.

House Resolution 138 also authorizes the select committee to inquire into the activities of certain governmental agencies in furtherance of their study.

These agencies include, among others, the National Security Council; the Central Intelligence Agency; the intelligence components of the Departments of the Army, Navy, and Air Force; the Intelligence and Research Bureau of the Department of State; the Federal Bureau of Investigation; the Department of the Treasury; and the Department of Justice.

Mr. Chairman, I think this resolution is long overdue. Earlier one of the Members questioned the idea of why the House is engaging in the same activity that the Presidential Commission and the Senate is already engaged in. I would like to answer that question in this way:

As far as the Presidential Commission is concerned, we have the executive department investigating itself, investigating an executive agency. As far as the Senate is concerned, I agree with my colleague, the gentleman from Illinois (Mr. ANDERSON), that possibly this should have been a joint committee. However, the Senate committee is already well on the road in its investigation, and I think the House is justified in pursuing its own investigation.

Mr. Chairman, yesterday the Committee on Rules adopted four amendments to this resolution of original jurisdiction and I understand the gentleman from Illinois (Mr. ANDERSON) has some further amendments he intends to offer today.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield myself 10 minutes.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, as I indicated in the brief colloquy I had with the gentleman from Maryland (Mr. BAUMAN) moments ago, certainly my preference would have been for the creation of a joint committee in order to eliminate the possibilities of duplication and waste that are inherent, I think, when we have two committees functioning in the same area.

However, I think we have passed that point, as my colleague has just pointed out.

I want to start by saying that I certainly begin with the conviction that in view of the controversy that has arisen over the domestic activities of the CIA, in view of the report that that organization had been conducting a widespread and illegal operation in the late 1960's and in the early 1970's and that it had been keeping files on 10,000 Americans by each unit reporting to the Director, we should exercise our oversight authority in this matter.

And there were the other reports that were given great currency and circulation about domestic break-ins and wire tapings and covert mail inspections. Certainly I think that this entitles us—more than entitles us; I think it mandates our concern—to exercise our super-

visory role, our oversight authority in this area.

I cannot help but recall for the Members of this body, as I did for the members of my committee, that it was 12 years ago, in the 88th Congress, that I sponsored a resolution for a joint committee. Our now absent colleague, at that time the gentleman from New York, Mr. Lindsay being the principal sponsor, I felt then and I feel now that a committee specifically devoted and charged with the responsibility of oversight in this area is necessary and is important.

But having said all of that, it seems to me, as I read this particular resolution, that it grants the most sweeping authority imaginable. There is literally no Federal agency, as I read this legislation, that would be entirely immune from a probe because it gives no definition of "intelligence."

In section 3 it lists all of the agencies that were mentioned a moment ago by the gentleman from Illinois (Mr. MURPHY). These include all great departments of the Government like the Department of Justice and the Department of the Treasury, even the Energy, Research and Development Administration, as well as those intelligence agencies with which we are more familiar, the CIA, the FBI, the Defense Intelligence Agency, and all of the defense intelligence components of the Departments of the Army, the Navy, and the Air Force.

This is sweeping authority indeed, and it seems to me that we have to be very careful that we do, therefore, make the terms of the investigative effort so broad and so all-encompassing, without any boundaries whatsoever, that we get into this mire and this morass of investigative activity that would cost untold hundreds of thousands, even millions, of dollars and yet not be productive of the kind of recommendations that we hope will come out of this committee if it is created and out of the committee in the Senate as well.

It is for that reason, not because I oppose the idea that we have a legitimate oversight function with which we ought to be concerned, that I have circulated these four amendments and commended them to the membership of this body, with the hope that they would adopt them today as amendments to House Resolution 138.

First of all, I want to refer to the one that would provide for a five and five membership on the committee. This resolution will follow otherwise the rule of the Democratic caucus, which provides for two-thirds plus one as the ratio of Democrats to Republicans on this committee.

This is not a legislative committee. Whatever justification the Members on this side of the aisle may have for such a rule in the House caucus as it applies to legislative committees, it should not apply to a select committee investigating one of the most delicate, sensitive areas that could possibly be encompassed within the scope of any congressional investigation.

I make no blind, blatant charges of partisanship over here. I make no

charges that anyone is out on a fishing expedition designed to embarrass the past administration or the present administration, because this problem extends back for many years into administrations both Democrat and Republican.

At least since the time, I believe, of John F. Kennedy there has been increasing involvement, apparently, on the part of the CIA particularly and perhaps other intelligence agencies of the Federal Government as well, in some of these activities, both covert and overt, that have stirred recent alarms. Therefore, I think that it is a bipartisan problem. It ought to be approached in a bipartisan fashion, and I would hope, therefore, that in establishing ratios on this committee, we would not be bound by some standard rule as it deals with the ordinary legislative committee.

Let me point out one specific example. In the last Congress, when we set out to investigate the operations of this Congress—and what could be nearer and dearer to our hearts than that? And more sensitive, really, to our individual role as legislators, than the operations of this body? We did not establish that committee with a partisan ratio. We established it under the chairmanship—and the very able chairmanship—of the gentleman from Missouri (Mr. BOLLING) on a 5-to-5 ratio, 5 Democrats and 5 Republicans. They went very thoroughly, for almost 18 months, into all of the ramifications and operations of this House and its committees, and came up with a very excellent report.

I think a bipartisan committee can do the same kind of job if they are allowed to function in a truly bipartisan manner, as I have suggested.

Second, I think that the fact that there is no price tag on this resolution makes it defective; that, just as the Senate did in its resolution, it provided \$750,000 as an expense budget, and a \$100,000 subcelling budget for outside consultants. It makes good sense to do that in this resolution. If the committee finds that it is going to have to expend more funds than it can come back and get an additional authorization, I am sure, for additional expenditures. But let us not start out with what the gentleman from Maryland was worried about a few minutes ago so that we get into the kind of boundless investigation that just proliferates in all directions at once, because there is absolutely no ceiling at all on the expenditure of funds. I hope that amendment when it is offered will have your support.

Third, instead of waiting until next year, until the end of January, let us give it a September 1 reporting date. Let us coordinate our activities with the activities of the other body. The senior Senator from Idaho, as I said a few minutes ago, said that he is willing to coordinate his efforts and give their report by September 1. So it makes sense to me that we have a similar reporting date so that we can work in tandem with that committee, then, and better coordinate the activities of the two Houses in this area.

Finally, I will offer an amendment

dealing with the very important matter of specific safeguards for protecting classified materials.

There is some very general language in the resolution dealing with this subject, and it merely says that the committee shall establish rules as they deem necessary to prevent unauthorized disclosures of information and testimony. I would suggest that better language would be language identical to that in the Senate resolution. I have taken that language exactly as it was passed in the other body, providing that the committee shall set up specific procedures to clear individuals, to provide them with the necessary security clearances before they deal with these very sensitive and, I am sure, highly classified materials.

There is nothing very radical about the proposals I have made. I think they will give us the sense in this House that we are moving in a bipartisan and very orderly fashion in coordination with the activities of the other body so as to get on with the needed business of deciding what went wrong, if it did go wrong and, more importantly, what we can now do to recommend a better and more continuing type of oversight of the intelligence community in the future.

So I hope the Members will support the amendments that I have described when they are offered, when we debate this under the 5-minute rule, and with those amendments I think we will be able to get on with the very important task that has to be dealt with.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman I think no one would disagree about the oversight authority and responsibility this House has, so far as that oversight pertains to amendments and changes in the law and in the statutes, and also so far as responsibility as to how funds appropriated by this Congress are spent as respects various activities, but I am not at all sure that it is intended by the oversight responsibility to limit them to that.

Does the gentleman foresee the possibility that this oversight select committee might get into the policymaking duties of the various agencies?

Mr. ANDERSON of Illinois. No, I do not think it would attempt to do that. We would have to physically decry any effort to interfere with the legitimate intelligence-gathering functions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield myself 3 additional minutes.

I do not think there is any disagreement—or I hope there is not any widespread disagreement—with the proposition that we need an intelligence service in this country to properly guarantee our national security. Agencies of the kind that are listed in this resolution—the Defense Intelligence Agency, the FBI, the CIA—all are needed. It is a question, however, of making sure that they carry out that intelligence function in a way that does not unconstitutionally violate individual rights of Americans here at home, and also, I think, does not involve

them in activities that are really nongermane and alien to the true intelligence function.

Mr. MYERS of Indiana. Will the gentleman yield further?

Mr. ANDERSON of Illinois. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. I thank the gentleman for yielding.

If I understand his response, there is absolutely no intent to give this select committee the authority to influence policymaking by any of the agencies, that they will have the responsibility overall, but it is simply to limit the authority to oversight as to Americans and funds used; is that correct?

Mr. ANDERSON of Illinois. I want to be very candid with the gentleman. I cannot assure him that they will not make recommendations that in effect would deal in the policy area or with the policymaking function of these agencies, but let me remind him that this committee has no legislative authority. They cannot pass on anything. All they can do is report to us, I hope, by September 1, 1975, and make recommendations which we as a full House would then act upon.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Maryland.

Mr. BAUMAN. I thank the gentleman for yielding.

There are at least seven different standing committees that have some sort of jurisdiction over intelligence activities in the House. I have heard rumors that, regardless of what the House may do in creating a select committee, some of these committees or the subcommittee chairmen will proceed with collateral investigations of the same issue.

Does the gentleman have any information about any plans to at least try to consolidate all of these investigations, or are we going to go off in all different directions at once for whatever purposes the individual committees involved may have?

Mr. ANDERSON of Illinois. My personal hope would certainly be that during the period that this select committee is functioning, if it is established, there would be a moratorium on a lot of investigative activity by these other subcommittees. Obviously, I am not in a position to speak, however, for the gentlemen who might be in a position to continue to assert that jurisdiction.

Mr. BAUMAN. If the gentleman will yield further, there is, however, nothing in this resolution that says so?

Mr. ANDERSON of Illinois. No. There is nothing in here that specifically says there is a moratorium.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Connecticut.

Mr. GIAIMO. I thank the gentleman for yielding.

This legislation is not designed to prohibit in any way any existing legislative committee or any other committee which has jurisdiction in this area from continuing its work. The gentleman is right. There are about seven committees or sub-

committees that do have an involvement or a partial involvement. Possibly only one could have the overall jurisdiction to cover all aspects.

For example, some have jurisdiction over the FBI, others have jurisdiction over the CIA, et cetera. It is designed that these committees will continue to do what they are empowered to do under the existing rules of the House.

This committee is designed to look at several factors primarily: Is there substance to the allegations of wrongdoing?

Should there be recommendations for changes in the methods in which the various intelligence services are conducting their activities—things of that type? It would not be to usurp the powers of the existing committees or subcommittees.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURPHY of Illinois. Mr. Chairman, I yield 7 minutes to the gentleman from Connecticut (Mr. GIAIMO).

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, let me explain to the Members why we are appearing here today on this resolution to establish a Select Committee on Intelligence. There has been a growing belief among the Members of Congress and among the public at large that all is not well with the intelligence agencies of the United States or that all may not be well and a growing concern that Congress should exercise to a greater degree than it has its oversight function.

We are intending to maintain a good and adequate intelligence service for the United States. We are equally determined to assure the rights of the citizens of the United States so that these rights will not be infringed in any way by anyone, and particularly by Federal intelligence agencies.

There have been very serious allegations of possible wrongdoing on the part of some intelligence agencies. We do not know whether these allegations are true in fact or not, but we certainly feel that Congress has the absolute obligation and duty to the American people to look into it and to exercise its oversight function to determine whether there is any merit to these allegations of wrongdoing.

Beyond that, many of these intelligence agencies have been in existence for many, many years, some from before World War II, and some of our major ones certainly came into prominence right after World War II. Their means of conducting their activities developed in those years, particularly in the late 1940's and early 1950's. Are these activities still proper ones? Are they still wise ones in which those agencies should be involved? Should we, for example, conduct covert operations in the same way in which we have been doing? This is another area of investigation by this select committee.

Therefore, it was the feeling of the overwhelming majority of those Members of the majority party in their caucus that a committee of the Congress should look into this entire matter of activities of the intelligence agencies. We do not

deny to the Executive the right to set up the Commission which they have to look into the allegations of impropriety, nor do we intend to prejudge the work and the recommendations of that Commission. But certainly as the executive branch has the right to oversee those actions, very clearly the Congress also does, and this is what we intend to do today.

We have many committees which have jurisdiction. For instance, the Committee on the Judiciary has jurisdiction over the FBI, and the Committee on Armed Services has jurisdiction over the CIA, and the Committee on Banking and Currency has jurisdiction over the Treasury and Internal Revenue. There are many committees. The Appropriations Committee also has a function here. But I doubt whether there is any one committee that has overall jurisdiction and can look at all the intelligence branches of the U.S. Government, with the possible exception, and I say with the possible exception, of the Government Operations Committee. It may have.

Be that as it may, there has been a growing feeling among the overwhelming majority of Members that there should be a per se Intelligence Committee to look into these allegations of wrongdoing.

I myself would have preferred a joint committee. I am sure that many of us would have, and I am sure the gentleman from Illinois (Mr. ANDERSON) recognizes that as a practical matter the other body has already begun with its select committee and there is very little hope of having a joint committee. Incidentally, it may well be that one of the recommendations of this committee might be to recommend a permanent joint committee with the other body.

We deliberately set a termination date of January 31, 1976, because we did not want to make this select committee a permanent committee or to carry on its activities year after year.

Because of the overwhelming feeling of so many Members of the majority of this House that there was need for a select committee, this matter was referred by the caucus of the Democratic Party in the House to the Steering and Policy Committee, so that we could properly study this matter and come up with recommendations.

We met in the Steering and Policy Committee with all the interested committee chairmen and discussed the matter with them and then, because of the complexity of the matter, it was referred to a task force of the Steering and Policy Committee and other Members to make further recommendations. The task force consisted of myself, the gentleman from Michigan (Mr. NEPZI), the gentleman from California (Mr. MOSS), the gentleman from New York (Mr. BINGHAM), the gentleman from Massachusetts (Mr. HARINGTON), and the gentleman from South Carolina (Mr. DAVIS). After additional meetings and considerations we proposed the resolution which is before us today, urging that it be adopted and that we get on with this work. This committee then would have the function to look into the allegations

of impropriety as one of its primary goals.

Second, it was to look into whether or not there is adequate oversight, both by the executive branch and by the Congress, of the intelligence activities.

Third, it would study the necessity, the nature, and the extent of overt and covert intelligence activities by United States intelligence instrumentalities here and abroad, and whether or not there should be some changes, for example, in the basic laws which apply to them.

This would be the function of this committee. It would be limited in duration. It would report back to the House by the end of this year. I doubt that the date that the other body has is a realistic one. I suspect that that September date will be extended to the end of the year.

I urge adoption of the resolution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURPHY of Illinois. I yield 2 additional minutes to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, I yield to the gentleman from Maryland (Mr. MITCHELL).

Mr. MITCHELL of Maryland. Mr. Chairman, I want to propound a question to the gentleman from Connecticut.

First of all, let me say, that I think this resolution and the creation of this select committee is most necessary and important at this time. If for no other reason than to dispel the fears and concerns that so many of our citizens have all over the country today.

My problem is that we deal with a number of governmental agencies; however, we do not deal at all with the matter of local police. I raise this question because the inspectional services division of the Baltimore City Police Department kept dossiers on black elected officials, black clergymen, and black community leaders. These dossiers or reports were forwarded to the Federal Bureau of Investigation, the Army Intelligence Agency, and to other governmental agencies.

Is that not also an important link that should be looked at?

Mr. GIAIMO. Mr. Chairman, I do not think that we should put into this legislation any authority empowering us to look into the activities of State or local government; however, to take the example that the gentleman propounds where there was an involvement of the local police force and the Federal Bureau of Investigation or the LEAA, for example, there is no question but that we have the authority to look into the activities of the FBI or the LEAA as far as it relates to police departments.

Mr. MITCHELL of Maryland. Mr. Chairman, if the gentleman will yield further, am I right in assuming that we are not considering the local police department sacrosanct and, therefore, not at this time involved in this question of espionage?

Mr. GIAIMO. This is not a question of being sacrosanct. We think we have a big enough job to look into the Federal agencies and whether or not they have been involved in any wrongdoing.

Incidentally, I think that is of paramount concern and if we can look into that and address ourselves to that problem, the other problems can then be resolved also.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MURPHY of Illinois. I yield 1 additional minute to the gentleman from Connecticut.

Mr. GIAIMO. I yield to the gentleman from California (Mr. JOHN L. BURTON).

Mr. JOHN L. BURTON. Mr. Chairman, I thank the gentleman for yielding.

I was wondering if the gentleman would answer two questions. The resolution, although it does not state it as such, is broad enough that there would be an inquiry into the type of activities such as the destabilization of Chile or interfering with the internal affairs of other nations.

Mr. GIAIMO. The question of destabilization of the Chilean Government would come under any study of covert intelligence activities by the U.S. intelligence services abroad. That is within the committee's jurisdiction.

Mr. JOHN L. BURTON. Last, the passage of this legislation and the creation of this committee in no way would put a moratorium on any legislative committee of this House from holding hearings on substantive legislation dealing with codes that we are informed concern themselves with the Central Intelligence Agency.

Mr. GIAIMO. Does the gentleman mean the standing committees which have jurisdiction?

Mr. JOHN L. BURTON. Legislation dealing with matters on the part of the Central Intelligence Agency and the creation of this committee does not mean, in fact, a moratorium on any others.

Mr. GIAIMO. I think it is the opposite of that. In fact, I think the establishment of this legislation is going to give an impetus and encouragement to these other existing committees to play a greater role in oversight and legislation in these areas than they have in the past.

The CHAIRMAN. The time of the gentleman from Connecticut has again expired.

Mr. MURPHY of Illinois. Mr. Chairman, I yield 1 additional minute to the gentleman from Connecticut (Mr. GIAIMO).

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from South Carolina.

Mr. DAVIS. Mr. Chairman, I would just like to associate myself with the remarks of the gentleman from Connecticut. I believe he has very ably expressed my concerns in detail on this task force.

I would urge the adoption of the resolution as it is presented and not amended.

Mr. MURPHY of Illinois. Mr. Chairman, I have no further requests for time.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois (Mr. McCLORY).

(Mr. McCLORY asked and was given

permission to revise and extend his remarks.)

Mr. McCLORY. Mr. Chairman, I want to express myself in general support of this legislation. It seems to me, however, that the focus of our attention should be on the illegal, the unethical, and the immoral acts, or alleged acts, conducted by the CIA, FBI and other intelligence gathering agencies.

It seems to me that the broader mandate which is involved in House Resolution 138 is so all-encompassing that the work of the proposed select committee could go on for years. The minority leader, the gentleman from Arizona (Mr. RHODES), introduced House Resolution 121, and it seems to me that that proposal directs its attention at the principal problem with which we are concerned; namely, the problem of jeopardizing the rights of individual American citizens by misuse of our intelligence agencies.

That is a subject over which the House Judiciary Committee, and now specifically the Subcommittee on Civil Rights, has general jurisdiction, and it is something with which that subcommittee is vitally concerned on a continuing basis.

The broader mandate which we have here, it seems to me, is going to involve us in much more than that, as the earlier colloquies have indicated. I intend to support the amendments to be offered by the gentleman from Illinois (Mr. ANDERSON). It seems to me that all of those amendments are essential if we are to have the kind of objective, the kind of bipartisan select committee which it seems to me this body should provide for and which the American people deserve.

Mr. Chairman, in expressing my support for this general proposal, let me emphasize again that such action by the House should be of a truly bipartisan and objective nature. Accordingly, I am hopeful that the action which we will take here today will reflect the kind of balance and objectivity which this subject deserves and which this House acting responsibly in the national interests should take.

Mr. Chairman, I am aware of the contents of House Resolution 121, introduced by our distinguished Republican leader, the gentleman from Arizona (Mr. RHODES) which in my opinion sets forth more precisely the steps which this House should take. In other words, I believe the select committee should focus its attention on the abuses which may have been practiced by our intelligence gathering agencies. At the same time, we should avoid jeopardizing any and all legitimate intelligence gathering activities which are important to our national security—perhaps even to our survival as a nation in a world in which many hostile and aggressive elements exist and where we must be alert to the danger of global holocaust.

Mr. Chairman, in addition to the provisions of House Resolution 121, I am aware also of the amendments which I understand will be proposed by my colleague from Illinois (Mr. ANDERSON). In my opinion, these proposed amendments to the measure before us—House Reso-

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lution 138—more accurately carry out the objectives which I feel are essential to a truly bipartisan and objective investigation.

Mr. Chairman, it is important, first of all, that the composition of any such select committee should be evenly divided between Republicans and Democrats. A proposed 10-member committee evenly divided between Republicans and Democrats would carry out this goal. This is a matter of great concern to both Republicans and Democrats alike—and this inquiry will necessarily involve investigations of both Republican and Democratic administrations. A balanced bipartisan committee with equal representation of both parties would clearly be best equipped to deal with these important and sensitive matters in a responsible manner.

Our colleague (Mr. ANDERSON) also will offer an amendment to require the select committee to take the necessary steps to guard the confidentiality of the extremely sensitive material and information with which it will be dealing. Adoption of this amendment is absolutely necessary if the inquiry is to avoid leaks which could seriously jeopardize national security.

Mr. Speaker, this amendment goes in tandem with another amendment to be offered by my friend from Illinois which would require appropriate security clearances for the select committee's staff. Furthermore, section (C) of this amendment insures that no member of the staff may use the classified information which he or she receives in the course of the inquiry for later monetary gain—further minimizing the risk of security breaches after the filing of the select committee's report and the completion of its work.

Mr. Chairman, the concept of a single comprehensive bipartisan inquiry, embodied in this resolution, enjoys widespread support. Because of the problems of overlapping jurisdiction which exist in our committee structure with respect to oversight of Federal intelligence activities, it is my feeling that this select committee ought to preempt the separate inquiries by the standing committees of the House. To do an adequate job, however, the select committee deserves the set authorization of \$750,000 which is provided by Mr. ANDERSON's third amendment. This amendment should be supported if we are serious in our desire to have a single intensive investigation in the place of several duplicative, noncomprehensive inquiries.

Finally, the fourth Anderson amendment—which sets a September 1, 1975, deadline for the select committee's report—makes sense and ought to be supported. We know that the Senate's select committee will report on that date—and I believe that the House should also—in the interests of a coordinated congressional approach to these important issues. No responsible Member would oppose an extension of this deadline if it were warranted by further revelations—but for now, it is most important to strive for an expeditious and coordinated inquiry into the disturbing allegations which have been made.

In conclusion, Mr. Chairman, this resolution, if strengthened by the adoption of my colleague's amendments, is worthy of the support of every Member who wants a truly professional and bipartisan inquiry—in which the American people can justifiably place their trust. A country which has had its confidence shaken in the integrity of its intelligence agencies and which is concerned about the constitutional rights of its citizens being abridged, is in precarious condition indeed. Let us act today, in the highest tradition of this House, to show the American people that we are prepared to deal with the serious problems which go to the heart of our form of government by adopting my colleague from Illinois' amendments and passing this important resolution.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, I want to thank the gentleman from Illinois, my colleague, Mr. McCLOY, for offering his support for the amendments that I described earlier. They are going to be offered, as I suggested, not with any desire to frustrate the very important aims of this select committee when it is established, but rather, I think, to undergird it with a kind of guarantee against partisanship that I think would be disastrous, so far as public confidence is concerned, or as far as any meaningful results that, hopefully, would otherwise flow from its adoption.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Maryland.

Mr. BAUMAN. I note in section 6 the committee is authorized to establish its own rules of procedure with regard to release of information which may come before this committee. If the gentleman will recall, in the impeachment inquiry of the Committee on the Judiciary, they voted to close certain sessions, which they had the right to do. The next morning, in the metropolitan press the entire contents of those hearings were on the front page in great detail, without any names being revealed as to whom the sources were. This committee will be dealing with highly sensitive information in this investigation. Was there any testimony before the Committee on Rules or has anyone offered any recommendations which will protect the secrecy of these investigations?

Mr. ANDERSON of Illinois. I would say to the gentleman that I will offer an amendment on the subject he has raised and specify that rules and procedures must be adopted by the committee that are designed to prevent the disclosure outside of the committee of information that is not authorized to be disclosed, and, furthermore, to establish security clearance requirements for individuals who will be handling the sensitive materials.

I would agree that they are more sensitive, perhaps, than some of the materials that were before the Committee on the Judiciary in the recent impeachment inquiry. But all kinds of materials will be dealt with in this committee.

Mr. McCLOY. It is essential that we

tighten up the language of this resolution and guard against the unauthorized dissemination of information on matters which are necessarily secret.

Mr. BAUMAN. Mr. Chairman, if the gentleman will yield further, would the gentleman's amendment apply also to Members of the House as well?

Mr. ANDERSON of Illinois. Mr. Chairman, as written, the amendment applies to staff; it does not specifically apply to Members. I think in those instances we will have to have faith in the qualifications of the Members who will be selected to serve on that committee, and we will have to have faith that they will observe the kind of circumspection that will be required of the members of that committee.

Mr. BAUMAN. Mr. Chairman, the gentleman has a large measure of faith.

Mr. BIESTER. Mr. Chairman, as a sponsor of legislation in both the previous and present Congress to create a Joint Committee on Intelligence, I rise in support of House Resolution 138 establishing a Select Committee on Intelligence.

I will vote for this bill with some misgivings as I do not feel it is the most preferable way to approach the problem. Few would deny that the reports and allegations involving illegal CIA and other foreign intelligence activities demand the closest examination. It is questionable, I feel, whether the House should undertake to duplicate much of the same investigative inquiry which is already being done by the President's commission and the Senate panel. The proper course for Congress to have taken in this matter would have been to create a joint House-Senate committee rather than the two separate efforts we will have should House Resolution 138 pass. The House should be involved firsthand in an examination of what has been done, and for this reason the bill before us should pass.

The need for some form of on-going oversight mechanism is not satisfied by the existence of these several groups, as important as their immediate objectives are. I believe we will still need to have a permanent body with the authority to monitor what is happening in the area of foreign intelligence operations. Right now that authority is fragmented and, for practical purposes, nonexistent. By bringing together in one committee Members from both Houses—specifically including those who serve on Foreign Affairs and Foreign Relations, Armed Services and Appropriations—we will be better able to follow on a continuing basis what is being done by our foreign intelligence apparatus.

Mr. ANDERSON of Illinois has joined me in introducing H.R. 261, creating a Joint Committee on Intelligence, and I hope consideration of such legislation will be forthcoming during this session. Unless we have a permanent vehicle institutionalizing supervision over this aspect of governmental activity, the problem will return to trouble us in the future.

Mr. KASTENMEIER. Mr. Chairman, I rise in support of House Resolution 138, to create a Select Committee on Intelligence.

While I have indicated, through my sponsorship of House Concurrent Resolution 18, the long-range congressional need for a permanent joint House-Senate oversight committee on intelligence activities, I believe it is essential that we immediately begin an investigation of the costly and little known segments of the Federal Government, our intelligence agencies, and measure their activities against their respective charters.

The creation of a select committee to examine the specific agencies, as well as the overall conduct and responsibilities of the entire intelligence community is an important undertaking. Such an inquiry is long overdue. The demands that the House assume its responsibility for overseeing the intelligence agencies, which operate largely in secrecy, can no longer be ignored.

Obviously the Nation needs effective criminal surveillance programs. No one seriously disputes this, and there is no one in the Congress who would work toward undermining the effectiveness of our intelligence agencies in the performance of their necessary and legitimate functions.

However, it is the responsibility of the Congress to define the legitimate intelligence activities, establish guidelines for the conduct of such operations and insure that such guidelines are enforced. We have evidence of military agents spying on civilians. It has been acknowledged that the CIA became involved in domestic surveillance. Testimony before various congressional committees indicates that intelligence agencies have withheld information from the Congress and have engaged in serious abuses and misuses of authority. These are matters which must be fully and thoroughly explored.

As recent testimony before the House Judiciary Subcommittee of which I am chairman indicates, the surveillance techniques of domestic intelligence agencies are equally worthy of scrutiny.

We have evidence that warrantless wiretaps were conducted for as long as 25 years. We have admissions that the FBI monitored some 40 phone calls between one Detroit lawyer and his clients. We have evidence that the Secret Service had access without legal process to very revealing telephone toll records. We have information that the FBI used private bank and credit records without any legal authority. We have reports of FBI spying on Members of Congress and domestic political groups including actual disruption of political associations.

Mr. Chairman, we have reached a point where the public's confidence in the Nation's law enforcement agencies is legitimately shaken. A thorough house cleaning of the intelligence community will go a long way toward restoring that confidence.

I urge adoption of House Resolution 138 and the speedy selection of the House Select Committee on Intelligence.

Mr. HARRINGTON. Mr. Chairman, the resolution to create a House Select Committee on Intelligence represents a real first step toward making this Nation's intelligence community accountable to the Congress for the first

time since the Central Intelligence Agency was created in 1947, signaling the uncontrolled growth of secret intelligence activities in the executive branch. The House will have established an effective mechanism to scrutinize questionable intelligence operations.

As one of the original sponsors of the Select Committee proposal, as well as a member of the ad hoc committee which unanimously recommended this resolution, I wish to summarize my understanding of the nature and scope of the proposed select committee's authority.

The committee's major task will be to recommend whatever new legislation and oversight structures are needed to insure that intelligence agencies are operating within the law and are accountable to Congress. This necessarily requires a reconsideration of the policies and assumptions underlying present intelligence practice. It requires careful investigation into all intelligence activities, particularly those that have resulted in the illegal political operations abroad or in violations of the civil liberties of American citizens. Finally, it requires an evaluation of the past effectiveness of House intelligence oversight committees in keeping these agencies within legal bounds. The select committee proposed today would have authority to accomplish these tasks.

My support for the select committee stems in large part from my belief that existing controls on intelligence activities, particularly on the CIA, have been wholly inadequate. Specifically, the CIA's secret program in Chile to destabilize the Allende government have yet to be subjected to searching congressional inquiry. Likewise, the extent of CIA domestic surveillance has not been fully examined. The House Select Committee on Intelligence would be empowered, along with its more general investigations, to explore these particular intelligence activities.

It is important to realize that intelligence policies and covert operations are not established without official actions at the highest levels of the executive branch. Any complete study of the intelligence community must probe the mechanisms within the executive branch, especially the National Security Council, for initiating and controlling intelligence operations. These matters will surely concern the Select Committee on Intelligence with its subpoena power, the committee would be able to obtain valuable testimony from all executive branch officials who deal with intelligence policy.

It has been warned in debate over this proposal that care should be taken to protect the "national security" interests of the United States. I agree. However, this country's security depends just as much on the maintenance of a rule of law as it does on the preservation of diplomatic secrets. It is threatened just as seriously by a misguided covert intervention abroad as it is by insufficient intelligence gathering and analysis. "National security" means much more than mere acquiescence by Congress to asserted claims of necessity by intelligence officials. Such an abdication of congressional responsibility and control over the intel-

ligence community will, in the long run, undermine the security of this Nation and its citizens.

The Select Committee on Intelligence can play a major role in the preservation of our "national security" in this broad sense. While I regret that it has taken the House so long to recognize the need for this committee, I commend the Democratic leadership for finally supporting this much needed reform. I urge passage of this resolution so that the select committee can begin its long-overdue investigation of the intelligence community.

Mr. MURPHY of Illinois. Mr. Chairman, I have no further requests for time.

Mr. ANDERSON of Illinois. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Resolved, That (a) there is hereby established in the House of Representatives a Select Committee on Intelligence to conduct an inquiry into the organization, operations, and oversight of the intelligence community of the United States Government.

(b) The select committee shall be composed of ten Members of the House of Representatives to be appointed by the Speaker, in consultation with the chairmen of those standing committees having current jurisdiction over intelligence matters. The Speaker shall designate one of the Members as chairman.

(c) For the purposes of this resolution the select committee is authorized to sit during sessions of the House and during the present Congress whether or not the House has recessed or adjourned. A majority of the members of the select committee shall constitute a quorum for the transaction of business except that the select committee may designate a lesser number as a quorum for the purpose of taking testimony.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 8, after the word "Speaker" insert a period and strike out all after the period through the word "matters" on page 1, line 10.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 1, strike lines 6 through 11 and insert in lieu thereof the following:

"(b) The select committee shall be composed of ten Members of the House of Representatives to be appointed by the Speaker as follows: (1) five from the majority party, and (2) five from the minority party after consultation with the minority leader of the House. The Speaker shall designate one of the Members as chairman."

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, this amendment specifies that the composition of the select committee shall be completely bipartisan, with five Members from the majority party and five from the minority party. The resolution as reported contains no specific refer-

ence to the partisan makeup of the committee, but it was made clear in our Rules Committee hearings that the Democratic Caucus rule of 2 to 1 plus 1 would apply to the select committee as well. That would mean, on a 10-member committee such as this, there would be 7 Democrats and only 3 Republicans.

Mr. Chairman, I think it is especially important that this committee—having such broad authority to probe such sensitive areas spanning Republican and Democratic administrations alike—that this committee be completely bipartisan so that there is not one hint of partisanship. I think we should recall that in the last Congress we created a bipartisan select committee of five Democrats and five Republicans to investigate this House and its committees. That committee worked quite well together, and unanimously reported a comprehensive and constructive product. It put partisanship aside and acted in what it considered to be the best interests of the House. It would seem doubly important that we adopt this nonpartisan approach to investigating the intelligence community so that the committee will act in the best interests of the country.

I would also point out that our own House Committee on Standards of Official Conduct is completely bipartisan, with six Democrats and six Republicans. If we feel we should be nonpartisan in investigating and policing the conduct of House Members, it should follow that we would want to be nonpartisan in investigating and policing our domestic and foreign intelligence communities—an even more delicate and sensitive area.

The Senate select committee on intelligence has a nearly bipartisan composition, with six Democrats and five Republicans, despite the fact that the majority party has a 3-to-2 ratio in that body.

I have reviewed the numerous resolutions referred to our Rules Committee which would establish either House select or joint committees on intelligence. Almost all of them, introduced by Republicans and Democrats alike, would have either a bipartisan or nearly bipartisan composition.

And yet, here we have a resolution drafted in the Democratic Steering and Policy Committee which would revert to the old partisan ratio of 2 to 1 plus one. I can understand that such a proposal is to be expected from one of the partisan organs in the House. But we are now acting as an institution—not as Republicans or Democrats—but as Members of Congress interested in doing what is right for the country and in doing it the right way. And I would suggest that we must act on a matter of this importance and sensitivity in such a way that there not even be the appearance of partisanship connected with this investigation. I urge adoption of my amendment.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, when this resolution comes up, it does not provide for any ratio; it provides for a 10-member committee, and it could be

9 to 1 or 10 to 0 unless we spell out the ratio as to the members of the committee; is that correct?

Mr. ANDERSON of Illinois. Mr. Chairman, the gentleman is quite correct. But in fairness to the other side, I want to say that they made it quite clear in their testimony in the Committee on Rules that a 7 to 3 ratio is what they intended.

This was the decision of the task force appointed by the Democratic Policy Steering Committee after it had been referred to that group by the Democratic Caucus. Therefore, I am satisfied that it is going to be 7 and 3 unless we adopt this amendment.

I think, nevertheless, that the reasons I have given are good and sufficient reasons why we ought to specify an even division in the membership of the committee.

Mr. GIAIMO. Mr. Chairman, I rise in opposition to the amendment.

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

[Mr. GIAIMO addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. McCLORY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Chair announces that he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

Mr. McCLORY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

(Mr. McCLORY asked and was given permission to revise and extend his remarks.)

Mr. McCLORY. Mr. Chairman, it seems to me that if the majority party wants to act in a responsible and a bipartisan manner, they can achieve that end through the acceptance of this amendment. I might say that in supporting the general thrust of this resolution and the establishment of a Select Committee, I am just as interested in the activities of such a select committee as any Member on the other side of the aisle. I think there is the suggestion or the implication in this 7 to 3 ratio which suggests this is going to be a partisan attack and a partisan effort. Certainly partisan control of this activity should not be bothered after a legislative function. I think the integrity of this institution, the House of Representatives, is involved in this very amendment, because this indication is the one which is going

to establish a select committee. It is this institution which is going to conduct the oversight and the investigation of the alleged impairment of the rights of individual citizens, by reason of illegal, immoral, and unethical activities alleged to have been carried out by the intelligence-gathering agencies and, consequently, it seems to me that we should do this in a responsible, objective manner through the establishment of a select committee which will be even balanced between the majority and the minority parties.

I want to assure those who are opposing this amendment on the other side of the aisle of our sincere interest on this side of the aisle of doing the kind of thorough job, not only with respect to this administration, but with respect to prior administrations, and we do not want to have any coverup of any earlier activities, which certainly could result, if the control is there and the political interest is there, to protect and to cover up with respect to an earlier administration. Consequently, I believe that if we are to be truly bipartisan and truly objective and truly responsible to the American people in connection with this select committee, we should support overwhelmingly the amendment offered by my colleague, the gentleman from Illinois (Mr. ANDERSON).

I hope the House will give that kind of support to this amendment.

Mr. RHODES. Mr. Chairman, I move to strike the requisite number of words.

(Mr. RHODES asked and was given permission to revise and extend his remarks.)

Mr. RHODES. Mr. Chairman, the gentleman from Illinois (Mr. ANDERSON) has offered four amendments, all of which I think would be a great improvement to this bill. I am particularly interested in the amendment which would change the composition of the committee so that it would be equal between the parties.

Select committees, without legislative authority, should be bipartisan. They are customarily evenly, or nearly evenly divided between the parties and I think this precedent followed in both Houses should not be abandoned.

I recognize the ability of the Democratic side, and of the Democratic caucus, to impose its will upon the House. It has the votes to do it, and if it wants to do it, it certainly can, but I ask the Members on my right to think ahead to the possible time when the majorities might be different, and I ask them if they think it would be a good idea for a select committee to be set up by this body which would be seven to three.

I also ask them if they think it is a good idea to change precedent so that the majority party is in complete control of something which is as sensitive as the investigation of the intelligence divisions of our Government today. It seems to me that this is such a sensitive operation, such a sensitive area, that the Members of the majority party would be well served if a committee to perform this very delicate task were to be just as bipartisan as anybody could possibly make it.

I understand partisanship is quite the vogue in this Congress, and again that is the prerogative of the majority party to make it so if it desires to do so. But I also suggest that this investigation is necessary. I agree that it is. I am pleased that it is going to be done by a select committee instead of by various other committees in which there would be overlapping investigations made. That part of it I agree with completely. But it seems to me the people, the citizens of the Republic, would feel much better about the whole thing and would feel much more confident about the findings of this committee—that there would not be a witch hunt—if the members of the committee were evenly divided between the parties.

So, Mr. Chairman, I speak for all of the amendments offered by the gentleman from Illinois, and I particularly address myself to the one involving the content of the committee.

Mr. BRODHEAD. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

(Mr. BRODHEAD asked and was given permission to revise and extend his remarks.)

Mr. BRODHEAD. Mr. Chairman, it seems to me that the amendment to make this committee evenly divided between the two parties would have the effect of to be trying to reverse the results of the last election. If the people wanted the responsibilities to be divided 50-50 between the two parties they would have voted that way. They did not. They voted two-thirds for one party and one-third for the other. I do not understand why the minority is trying to obstruct the work of this House by offering such an amendment with respect to this committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ANDERSON of Illinois. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device; and there were—ayes 141, noes 265, not voting 26, as follows:

[Roll No. 17]

AYES—141

Abdnor
Abzug
Anderson, Ill.
Andrews,
N. Dak.
Archer
Armstrong
Ashtbrook
Bafalis
Bauman
Board, Tenn.
Bell
Bennett
Biester
Breckinridge
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burke, Fla.
Butler

Carter
Cederberg
Clancy
Clausen,
Don H.
Cleveland
Cochran
Cohen
Collins, Tex.
Conable
Conlan
Conte
Coughlin
Crane
Daniel, Robert
W. Jr.
Derwinaki
Devine
Dickinson
Duncan, Tenn.
du Pont
Edwards, Ala.
Emery

Erlenborn
Esch
Eshleman
Fenwick
Findley
Fish
Forsythe
Frenzel
Frey
Gilman
Goldwater
Goodling
Gradison
Grassley
Gude
Guyer
Hagedorn
Hammer
Schmidt
Hansen
Harsha
Hartings
Hebert

Heckler, Mass.
Heinz
Hillis
Hinshaw
Holt
Horion
Hutchinson
Hyde
Jeffords
Johnson, Colo.
Johnson, Pa.
Kasten
Kelly
Ketchum
Kindness
Lagomarsino
Latta
Lent
Lott
Lujan
McClary
McCloskey
McCollister
McDade
McDonald
McEwen

Adams
Addabbo
Alexander
Ambro
Anderson,
Calif.
Andrews, N.C.
Annunzio
Ashley
Aspin
AuCoin
Badillo
Baldus
Baucus
Bedell
Bevil
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breau
Brinkley
Brodhead
Brooks
Brown, Calif.
Burke, Calif.
Burke, Mass.
Burlison, Tex.
Burlison, Mo.
Burton, John L.
Burton, Phillip
Byron
Carney
Carr
Casey
Chisholm
Clay
Collins, Ill.
Conyers
Corman
Cornell
Cotter
D'Amours
Daniel, Dan
Daniels
Dominick V.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Derrick
Dingell
Dodd
Downey
Drinan
Duncan, Greg.
Early
Eckhardt
Edgar
Edwards, Calif.
English
Evans, Colo.
Evans, Ind.
Evins, Tenn.
Fascell
Fisher
Flitman
Wood

NOES—265

Florio
Flowers
Flynt
Ford, Mich.
Fountain
Fraser
Fuqua
Gaydos
Giallone
Gibbons
Ginn
Gonzalez
Green
Haley
Hall
Hamilton
Hanley
Hannaford
Harkin
Harrington
Harris
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Hefner
Helatoski
Henderson
Hicks
Hightower
Holland
Holtzman
Howard
Howe
Hubbard
Hughes
Hungate
Jacob
Jacobs
Jenrette
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastameier
Kazen
Keys
Koch
Krebs
Krueger
LaFalce
Landrum
Lehman
Levitas
Littton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
McCormack
McCall
McHugh
McKay
Macdonald
Madden
Maguire
Mahon
Mann
Mathis
Matsunaga
Mead
Melcher
Metcalfe
Meyner
Mezvisky
Mikva
Milford
Miller, Calif.
Mineta
Minish
Mink
Mitchell, Md.
Moakley
Moffett
Mollohan
Montgomery
Moonhead, Pa.
Morgan
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Natcher
Neal
Nedzi
Nichols
Nix
Nolan
Nowak
Oberstar
Obey
O'Hara
O'Neill
Ottinger
Patman
Patten
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Pickle
Pike
Poage
Poyer
Price
Randel
Rees
Reuss
Richmond
Risenhoover
Roberts
Rodino
Roe
Rogers
Roncallo
Rooney
Rosenthal
Rostenkowski
Roush
Rouby
Runnels
Russo
Ryan
St Germain
Santini
Sarbanes
Satterfield
Scheuer
Schroeder
Schubert
Sharp
Shroyer
Simon
Sisk

Slack
Smith, Iowa
Solarz
Spellman
Staggers
Stanton
Stanton,
James V.
Stark
Stephens
Stokes
Stratton
Stuckey
Studds
Sullivan
Symington
Taylor, N.C.

Teague
Thompson
Thornton
Traxler
Tsongas
Udall
Ullman
Van Deerlin
Vander Veen
Vanik
Vigorito
Waggoner
Waxman
Weaver
White
Whitten

Wilson,
Charles H.,
Calif.
Wilson,
Charles, Tex.
Wirth
Wolf
Wright
Yates
Yatron
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NOT VOTING—26

Barrett
Beard, R.I.
Bergland
Biaggi
Chappell
Crawson, Del.
Diggs
Downing
Ellberg

Foley
Ford, Tenn.
Fulton
Jarman
Kemp
Leggett
Mills
Moorhead,
Calif.

Passman
Riegle
Rose
Schulze
Skubitz
Steed
Talcott
Taylor, Mo.
Wilson, Bob

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 2. The select committee is authorized and directed to conduct an inquiry into—

(1) the collection, analysis, use, and cost of intelligence information and allegations of improper activities of intelligence agencies in the United States and abroad;

(2) the procedures and effectiveness of coordination among and between the various intelligence components of the United States Government;

(3) the nature and extent of executive branch oversight and control of United States intelligence activities;

(4) the need for improved or reorganized oversight by the Congress of United States intelligence activities;

(5) the necessity, nature, and extent of overt and covert intelligence activities by United States intelligence instrumentalities in the United States and abroad;

(6) the procedures for and means of the protection of sensitive intelligence information; and

(7) such other related matters as the select committee shall deem necessary to carry out the purposes of this resolution.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 12, after the word "or" insert the words "illegal or".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 3, line 2, strike out the word "and" and insert the following:

"(7) procedures for and means of the protection of rights and privileges of citizens of the United States from illegal or improper intelligence activities; and"

And renumber the next paragraph accordingly.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 3. In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following:

(1) the National Security Council;

(2) the United States Intelligence Board;

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(3) the President's Foreign Intelligence Advisory Board;
 (4) the Central Intelligence Agency;
 (5) the Defense Intelligence Agency;
 (6) the intelligence components of the Departments of the Army, Navy, and Air Force;
 (7) the National Security Agency;
 (8) the Intelligence and Research Bureau of the Department of State;
 (9) the Federal Bureau of Investigation;
 (10) the Department of the Treasury;
 (11) the Energy Research and Development Administration; and
 (12) any other instrumentalities of the United States Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk read as follows:

Committee amendment: page 4, line 1, strike out the semicolon and add the following: "and the Department of Justice;"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 4. The select committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpoenas may be issued over the signature of the chairman of the select committee or any member designated by him, and may be served by any person designated by the chairman or such member. The chairman of the select committee, or any member designated by him, may administer oaths to any witness.

Sec. 5. To enable the select committee to carry out the purposes of this resolution, it is authorized to employ investigators, attorneys, consultants, or organizations thereof, and clerical, stenographic, and other assistance.

Sec. 6. The select committee shall establish and implement such rules and procedures as it may deem necessary to prevent the unauthorized disclosure of information and testimony taken in executive session or obtained by other means.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 4, strike lines 23. through 24 and on page 5 strike lines 1 and 2 and insert in lieu thereof the following:

"Sec. 6. (a) The select committee shall institute and carry out such rules and procedures as it may deem necessary to prevent (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee, of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government;

"(b) No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an ap-

propriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

"(c) As a condition for employment as described in section 5 of this resolution, each person shall agree not to accept any honorarium, royalty, or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee."

Mr. ANDERSON of Illinois (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, this amendment is aimed at detailing and strengthening the provisions of the resolution designed to protect classified materials and national secrets. I would stress at the outset that this language is identical to that contained in Senate Resolution 21 as adopted, establishing the Senate select committee on intelligence. As the resolution before us reads, the committee shall establish whatever rules and procedures it deems appropriate to protect such information.

My amendment simply elaborates on this by specifying that such rules and procedures should be designed to prevent the disclosure outside the committee of any information not authorized to be disclosed by the committee, and to prevent the disclosure of information which would adversely affect any of our foreign intelligence activities.

Moreover, the amendment requires that the committee establish security clearance requirements for staff people having access to classified materials, as the committee determines is commensurate with the sensitivity of the information.

Finally, my amendment requires that, as a condition of employment, staff people assigned to the committee, as well as outside consultants working with the committee, agree not to accept any payment, royalty or honorarium for speaking engagement, book, article or other endeavor in connection with his or her work on the committee. Again, I would stress, this language is identical to that contained in the Senate-passed resolution.

Mr. Chairman, while I do not doubt that any such committee would establish necessary safeguards to protect sensitive information, I think it is important that we in the House impose some minimal guidelines and requirements from the very outset in order to give guidance to the committee. There is certainly nothing in this amendment which would preclude the committee from adopting other rules in this area, and I am sure they

will. But as a bare minimum, I think these safeguards should be clearly stated by the full House. Given the nature of the investigation, we cannot abide any leaks springing from this committee. Recent past experiences with staff leaks should be sufficient in impressing on us the need for this body to make the concerns and desires of the full House membership explicit in this regard.

The conduct of this investigation will be a reflection on the entire House, and as such, we must accept full responsibility now for insuring that the investigation does not become either a Roman circus or a sieve for national secrets. I urge adoption of my amendment.

Mr. MURPHY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I am pleased to yield to the gentleman from Illinois (Mr. MURPHY).

Mr. MURPHY of Illinois. Mr. Chairman, in a spirit of democratic cooperation, our side will accept the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 5, after line 2, insert the following new section and redesignate sections 7 and 8 as sections 8 and 9, respectively:

"Sec. 7. The expenses of the select committee under this resolution shall not exceed \$750,000, of which amount not to exceed \$100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the select committee and approved by the Speaker."

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, this amendment simply sets an expense ceiling of \$750,000 for the select committee, along with a subceiling of \$100,000 for outside consultants and services. As such, it is identical to the language in the Senate-passed resolution.

In questioning witnesses on this matter yesterday in Rules, no estimate was given on what the select committee might cost. The gentleman from Michigan, (Mr. NEHR) said he didn't think it would cost as much as the Senate investigation, despite the fact that this is due to run 4 months more than the Senate inquiry. It was also stated that the amount would be negotiated with the House Administration Committee.

Well I do not like the idea of jumping into something without having any idea how much it will cost. In the last Congress, when we established the Select Committee on Committee Reform, the resolution creating that committee, as reported from the Rules Committee, contained an authorization level.

There is no reason whatsoever why we cannot set such a ceiling in this resolu-

tion. Moreover, given the potential scope of this investigation, covering as it does every agency of the Federal Government having anything to do with intelligence—and broadly defined, "intelligence" simply means information gathering—I think it is important at the outset that we establish an overall dollar ceiling so that the committee will be forced to set its priorities immediately and get on with the most important aspects of such an investigation. I suspect that if the committee did everything he could do under its authority in this resolution, the investigation could run for years and cost the taxpayers millions. As I mentioned in the Rules Committee, this could turn out to be the biggest fishing expedition since Moby Dick. I do not think that is what most Members of this body want. We are primarily concerned with the more glaring and disturbing allegations of illegal and improper intelligence activities and operations. And we want this committee to report back as soon as possible on what steps the executive and legislative branches might take to strengthen their control and oversight over the intelligence community.

Mr. Chairman, just as other committees are required to report the expected cost of programs they recommend, I think we have an obligation to require the same of our own in-house activities by setting such cost parameters. I urge adoption of my amendment.

Mr. MURPHY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I am delighted to yield to the gentleman from Illinois.

Mr. MURPHY of Illinois. Mr. Chairman, in a further demonstration of that same spirit of conciliation and cooperation, we will accept the amendment on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 7. The select committee is authorized and directed to report to the House with respect to the matters covered by this resolution as soon as practicable but no later than January 31, 1976.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 5, strike all of line 6 and insert in lieu thereof the following: "September 1, 1975."

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, this amendment would change the reporting deadline for the select committee from January 31, 1976 to September 1, 1975. Again, the deadline contained in my amendment is identical to that of the Senate committee. And I think for a very obvious and practical reason. If both of these committees will be making recommendations as to how the Congress might improve and strengthen its oversight of

the intelligence communities, then we should act together as soon as possible on doing this. There can be no excuse for dragging out the House investigation 4 months beyond that of the Senate, and in the meantime delaying necessary and possibly joint action on this problem. I would add, parenthetically, that I suspect a recommendation may be made to establish a Joint Committee on Intelligence Oversight, and, for that reason, it is imperative that we act promptly and jointly.

Mr. Chairman, I know that argument will be made that there is no way our committee can carry out its assignment under this resolution in just 6 months. I have no doubt that it could take from now until doomsday to do a thorough job of implementing its mandate. But of supreme importance, it seems to me, is that this committee address itself to the most glaring and immediate allegations before it, and then turn over the rest to a more permanent mechanism of the Congress to continue with. This is what we should have been doing all along, and I do not think we have to wait 11 months for a select committee to tell us that. We should move as soon as possible to establishing such a permanent mechanism and get on with the job.

In conclusion, Mr. Chairman, I think this reporting deadline is in the best interests of the Congress and the Nation in establishing within the Congress a permanent mechanism for conducting continuing review and oversight of the intelligence community. Let us move together with the other body, on the same timetable and deadline in accomplishing that larger end.

I urge adoption of my amendment.

Mr. Chairman, I do not see the gentleman from Illinois, my colleague on the committee, rising, asking me to yield, so I must assume that the same spirit of conciliation and cooperation does not prevail on this fourth and final amendment that I offer to House Resolution 138, but I now yield to the gentleman from Illinois in the hope that the gentleman has changed his mind after listening to my remarks.

Mr. MURPHY of Illinois. Mr. Chairman, I must say to my colleague, the gentleman from Illinois (Mr. ANDERSON) that the same spirit of conciliation and cooperation that prevailed with regard to the other amendments does not prevail in regard to this amendment.

Mr. ANDERSON of Illinois. Mr. Chairman, I regret that the gentleman from Illinois does not have the same feeling of conciliation and cooperation with respect to this amendment, but, regardless of where we stand on the political aisle, I would invite the support of the gentleman for the amendment because I consider that it is in the interest of getting the kind of an investigation that we want on both sides of the political aisle.

Mr. GIAIMO. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, I should

like to point out to the members of the Committee that we have taken precautions here to see to it that the select committee is limited in duration to the end of this year, January 31, 1976. It is not our intention nor our desire to perpetuate the Select Committee on Intelligence year after year after year. At the same time—and I am sure that my good friend, the gentleman from Illinois, will agree with me—we want to assure the committee sufficient time to do a creditable job and proper investigation in this area of intelligence activities. We think that the September deadline mentioned in the amendment of the gentleman is not realistic. It gives very little time.

I recognize the fact that the other body has selected that date. However, I would say that the other body has already passed its legislation. It has a head start of some weeks on this body and, quite frankly, it is our opinion and that of the cosponsors of this legislation that the deadline date which the other body has incorporated into this legislation will not be sufficient to do a proper job, and my guess will be that they will be extending theirs.

I do not think it is unreasonable to limit the duration of this select committee until January 31, 1976, and I ask that the amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

The amendment was rejected.

Mrs. FENWICK. Mr. Chairman, I move to strike the last word.

(Mrs. FENWICK asked and was given permission to revise and extend her remarks.)

Mrs. FENWICK. I should like to appeal, Mr. Chairman, to the Members of this House, and most particularly to my friends on the other side of the aisle. I think we all know that patriotism rather than partisanship is what must guide us if we are to respond to what the people told us to do in the last election. There is more to it. I think an investigatory body has to not only do justice but be seen to do justice. I think that we should rise to it. I hope very much, since the section does not describe the membership of the committee, but leaves it entirely to the generosity and the spirit of bipartisanship of the Speaker and of the leadership and of the great majority of Democrats in this House, that perhaps it could be at least 6-to-4; if not 5-to-5.

I know that my friends on the other side of the aisle know that I speak in no partisan spirit, but I think it would convince the people of this Nation that we can rise above party, that we are earnestly seeking the truth, that we are not trying to go on witch hunts or hurt people, but that we are trying to protect the integrity of our institutions and the urgent and necessary fact that the institutions of government cannot be used for personal or political reasons. All this needs to be driven home, and I hope that the composition of the committee will effect it.

I thank the Chairman.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Given to all morning meeting attendees

HR 138 fil

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INTERNAL
USE ONLY

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☐

CONFIDENTIAL

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SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Legislative Counsel

EXTENSION

NO.

DATE

20 February 1975

STAT

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

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Attached for your information is an excerpt from yesterday's Congressional Record covering the floor discussion of the resolution establishing a Select Committee in the House. You may be interested in the colloquy, page H876, regarding the applicability of the disclosure amendment to House members rather than just the staff.

George L. Cary
Legislative Counsel

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FORM
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USE PREVIOUS
EDITIONS

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UNCLASSIFIED

19 February 1975

GLC--

This is the House Select Committee resolution as reported amended on 18 February, and which is scheduled for floor action this afternoon.

I have indicated in pencil the amendments.

BB

CONGRESSIONAL RECORD—HOUSE

Approved For Release 2005/04/27 : CIA-RDP77M00144R001200030010-8

February 18, 1975

...an amendment to the Constitution require that: (1) no public school student be assigned or required to attend a particular school because of race, creed, or color; (2) no public school teacher or other permanent employee be assigned or required to work at any particular job or location because of race, creed, or color.

H. Res. 104. January 17, 1975. Judiciary. Poses an amendment to the Constitution to permit Congress or the States to impose death penalty in certain cases.

H. Res. 105. January 17, 1975. Judiciary. Poses an amendment to the Constitution respect to the force and effect of laws.

H. Res. 106. January 17, 1975. Post Office and Civil Service. Designates the last Wednesday of August of each year as "Senior Citizen Recognition Day."

H. Res. 107. January 17, 1975. Judiciary. Poses an amendment to the Constitution regarding the age requirements for Congressional membership.

H. Res. 108. January 17, 1975. Post Office and Civil Service. Designates February 9 to 1975, as "National Vocational Education National Vocational Industrial Clubs America Week."

H. Res. 109. January 17, 1975. Post Office and Civil Service. Designates January 28 to February 3, 1975, as "Chattanooga Area Manufacturers Week."

H. Res. 110. January 17, 1975. Ways and Means. Prohibits tariffs, fees, or quotas on oleum imports unless authorized by law.

H. Res. 111. January 17, 1975. Post Office and Civil Service. Designates February of each year as "American History Month."

H. Res. 112. January 20, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to establish national petroleum reserves on certain public lands of the United States.

H. Res. 113. January 20, 1975. Judiciary. Poses an amendment to the Constitution omitting voluntary prayer in public places, refers reference to a Supreme Being in public or governmental activities.

H. Res. 114. January 20, 1975. Judiciary. Designates the square dance as the national dance of the United States.

H. Res. 115. January 20, 1975. Judiciary, Post Office and Civil Service. Requests the President to designate June 29 to July 5 of each year as "Why I Love America Week."

H.J. Res. 116. January 20, 1975. Government Operations. Authorizes and requests the President to take the steps necessary to reduce the paperwork of the executive branch of the Federal Government.

H.J. Res. 117. January 20, 1975. Armed Services. Authorizes increased production of petroleum from the Elk Hills Naval Petroleum Reserve for sale to oil refineries.

H.J. Res. 118. January 20, 1975. Post Office and Civil Service. Requests the President to designate May 13 of each year as "American Business Day."

H.J. Res. 119. January 23, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to establish national petroleum reserves on certain public lands of the United States.

H.J. Res. 120. January 23, 1975. Judiciary. Proposes an amendment to the Constitution to require popular approval of a Vice President in cases of vacancy in the office.

PETITIONS, ETC.

Under clause 1, of rule XXII,

25. The SPEAKER presented a petition of the city council, Los Angeles, Calif., relative to public works projects; to the Committee on Public Works and Transportation.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H. Res. 138

By Mr. ANDERSON of Illinois:

(1) On page 1, strike lines 8 through 11 and insert in lieu thereof the following:

"(a) The select committee shall be composed of ten Members of the House of Representatives to be appointed by the Speaker as follows: (a) five from the majority party, after consultation with the chairmen of those standing committees having current jurisdiction over intelligence matters; and (b) five from the minority party after consultation with the minority leader of the House. The speaker shall designate one of the Members as chairman."

(2) On page 4, strike lines 17 through 20 and insert in lieu thereof the following:

"Sec. 6. (a) The select committee shall institute and carry out such rules and pro-

cedures as it may deem necessary to prevent (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee, of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government;

"(b) No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an appropriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

"(c) As a condition for employment as described in section 5 of this resolution, each person shall agree not to accept any honorarium, royalty, or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee."

(3) On page 5, at line 1, insert the following new section and redesignate sections 7 and 8 as sections 8 and 9, respectively:

"Sec. 7. The expenses of the select committee under this resolution shall not exceed \$750,000 of which amount not to exceed \$100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the select committee and approved by the Speaker."

(4) On page 5, strike all of line 4 and insert in lieu thereof the following: "September 1, 1975."

(2) (3) apparently passed

SECRET

25X1
25X1 7. [] John Swearingen, Senate Rules Committee staff, called and asked if I could stop by Senat or Howard Cannon's office at 3:30 with the inventory of the material we provided Senator Baker during the Watergate investigation. I did meet with Swearingen, Senator Cannon and Mr. Hugh Q. Alexander, Chief Counsel, Rules Committee. See Memo for the Record.

25X1 8. [] IC Staff, called and said Ralph Preston, House Appropriations Committee staff, asked for a copy of the agree-
ment between CIA and the FBI. [] said there was one in 1966 and Preston
said they would like to have it. Preston also asked for a copy of the proposed
25X1 legislation and [] will go down tomorrow and deliver
both of these to Preston. Preston also wants a copy of the Nedzi bill. Preston
said there had been many internal directives which the Director has sent out
with respect to controlling employees. I suggested that [] double check
25X1 with the Director as to which ones he has let out and said I would provide
copies of our "sources and methods" package and the Nedzi bill.

25X1 9. [] Accompanied [] OSR, to a briefing
of Clark McFadden and Jim Smith, Senate Armed Services Committee staff,
on the current situation in the Indian Ocean area. See [] Memo for
25X1 Record.

25X1 10. [] Called Jack Boos, House Armed Services
Committee staff, regarding H. Res. 138, which would establish a House Select
Committee on Intelligence, to inquire if the language was the same as
H. Res. 125, which Representative Lucien N. Nedzi (D., Mich.) introduced
25X1 on the same subject. Boos assured me that the two resolutions were identical.

25X1 12. [] Received a call from Barbara Madsen,
in the office of Representative Don Bonker (D., Wash.), requesting maps of
Greece, Mexico and Kenya. After checking with [] I told her w
25X1 would provide these for the Congressman but if they received a constituent
request in the future that these maps were available from the GPO for a
nominal fee.

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Next 3 Page(s) In Document Exempt

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